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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/099,606

03/15/2002

Eric I-Chao Chang

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07/11/2006

EXAMINER

AZAD, ABUL K

WESTMAN CHAMPLIN (MICROSOFT CORPORATION)

SUITE 1400

900 SECOND AVENUE SOUTH

MINNEAPOLIS, MN 55402-3319

ART UNIT

PAPER NUMBER

2626

DATE MAILED: 07/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/099,606

Applicant(s)

CHANG, ERIC I-CHAO

Examiner

ABUL K. AZAD

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/21/05, 4/28/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This action is in response to the communication filed on November 21, 2005, with a wrong application number.
2. Claims 1-27 are pending in this action.
3. The applicant's arguments with respect to claims 1-27 have been fully considered but they are not deemed to be persuasive. For examiner's response to the applicant arguments or comments, see the detailed discussion in the Response to the Arguments section.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 1-5, 7-18, 20, 21 and 23-27 are rejected under 35 U.S.C. 102(a) as being anticipated by Field et al. (GB 2 364 850).

As per claim 1, Field teaches, "a voice message processing system", comprising:

"a voice message (VM) data store storing voice message data indicative a plurality of voice messages" (Fig. 2, element 40);

"a distributed voice data processor, coupled the VM data store, configured to access voice messages, extract desired information from the voice messages and

augment the VM data stored the VM data store with the desired information” (Fig. 3, elements 120, 130 and 140); and

“a user interface component coupled the VM data store and configured provide user access to the augmented VM data” (Fig. 2, element 14).

As per claim 2, Field teaches, “rule application component configured receive user rule inputs indicative of user-selected rules and to apply the user- selected rules the augmented VM data” (Page 6, lines 1-17).

As per claim 3, Field teaches, “speaker identification model data store storing at least one speaker identification model” (Page 6, lines 2-4); and

“speaker identification component configured access the speaker identification model data store and provide an indication of an identity speaker associated with voice message corresponding to the VM data” (Page 6, lines 2-4).

As per claim 4, Field teaches, “a speaker model training component configured to receive VM data and train speaker identification model based the VM data and user input indicative of a speaker of voice message corresponding the VM data” (Page 6, lines 19-22).

As per claim 5, Field teaches, “an acoustic feature extractor extracting acoustic features from the VM data, the acoustic features being indicative of desired information” (Page 6, lines 1-17).

As per claim 7, Field teaches, “wherein the acoustic feature extractor configured extract features indicative speaking rate and provide a rate output indicative of the speaking rate” (Page 6, lines 1-17).

As per claim 8, Field teaches, "rate normalization component configured receive the rate output and normalize an associated voice message preselected speaking rate" (Page 6, lines 1-17).

As per claim 9, Field teaches, "a speech-to-text component configured generate textual output indicative content of a voice message" (Page 6, lines 19-27).

As per claim 10, Field teaches, "wherein the speech-to-text component configured generate transcription the voice message as the textual output" (Page 6, lines 19-27).

As per claim 11, Field teaches, "summarization component configured to generate a summary of the voice message" (Page 7, lines 14-24).

As per claim 12, Field teaches, "semantic parser configured generate semantic parse of at least portion the voice message" (Page 7, lines 14-24).

As per claim 13, Field teaches, "wherein the rule application component sorts voice messages based on desired information" (Page 12, lines 37-40).

As per claim 14, Field teaches, "wherein the rule application component generates alarms based the desired information" (Page 14, lines 28-30).

As per claim 15, Field teaches, "wherein the user interface component generates user interface exposing user- selectable inputs for manipulation of the voice message by the user" (Page 14, lines 25-28).

As per claim 16, Field teaches, "rate changing input which, when actuated by a user, changes a speaking rate associated with voice messages" (Page 6, lines 11-17).

As per claim 17, Field teaches, "wherein the user interface displays a textual indication of a content of a voice message" (Page 14, lines 25-28).

As per claim 18, Field teaches, "wherein the user interface displays an identity indication indicative of an identity of a speaker of a voice message" (Page 14, lines 35-38).

As per claim 20, Field teaches, "wherein the user interface displays a rule indicator indicative of rules being applied" (Page 14, lines 25-28).

As per claims 21 and 23-27, they are interpreted and thus rejected for the same reasons set forth in the rejection of claims 1-5, 7-18 and 20.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 6, 19 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Field et al. (GB 2 364 850) as applied to claims 4, 15 and 21 above, and further in view of St. John (WO 01/16936).

As per claims 6, 19 and 22, Field does not explicitly teach, "acoustic feature extractor configured extract features indicative of speaker emotion and provide an emotion output indicative of the speaker's emotion". However, St. John teaches, "acoustic feature extractor configured extract features indicative of speaker emotion and

provide an emotion output indicative of the speaker's emotion" (page 16, line 32 to page 17, line 20). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use St. John's teaching in the invention because one ordinary skill in the art would readily recognize that emotion detection provides a better customer service according to the emotion of customer's voice message.

Response to Arguments

8. The applicant argues, "Field et al. neither teach nor discuss nor even mention any type of distributed system, but instead refer only to a server-based system. Therefore, Field et al. cannot anticipate the present invention. Further, Field et al. neither teach nor suggest the present invention, and thus claims 1 and 21 are allowable over Field et al. Applicant also submits that a number of the dependent claims are independently allowable. For instance, dependent claim 4 specifically claims a speaker model-training component configured to train a speaker identification model. Similarly, dependent claim 24 includes receiving a user input indicative of a speaker identity, and training a speaker identification model. Field et al. neither teach nor suggest any type of model training, whatsoever. Specifically, the passages cited by the Examiner do not teach a system that trains models. Thus, Applicant submits that dependent claims 4 and 24 are independently allowable. Dependent claim 11 specifically states that the distributed voice data processor includes a summarization component configured to generate a summary of the voice message. Again, the passages cited by the Examiner simply fail to teach or suggest, or even mention, any type of component that

summarizes a voicemail message. Therefore, Applicant submits that dependent claim 11 is independently allowable. Further, dependent claims 16 and 23 discuss changing the rate at which the speaker speaks in the voicemail message, when the message is played back. The text passages of Field et al. cited by the Examiner discuss the fact that a speaking rate is detected, but there is no discussion, or even mention, of anything in Field et al. that allows a user to change the rate at which the message is spoken, when played back to the user. Specifically, dependent claim 16 includes "a rate changing input which, when actuated by the user, changes a speaking rate associated with the voice message." Similarly, claim 23 includes "normalizing the speaking rate to a user-selected speaking rate." Since these are neither shown nor suggested by the reference cited by the Examiner, Applicant submits that dependent claims 16 and 23 are independently allowable. In addition, Applicant submits that dependent claim 20 is independently allowable. Dependent claim 20 is drawn to a user interface that "displays a rule indicator indicative of rules being applied." The passage cited by the Examiner in Field et al. simply does not mention or suggest providing an indicator that indicates what rules are applied. Therefore, Applicant submits that dependent claim 20 is independently allowable. Applicant further submits that a host of dependent claims are allowable by virtue of the fact that they are neither taught nor suggested in a distributed environment. For instance, dependent claims 2, 3, 5, 6, 7, 9, 10, 12-14, 18, 19, 22, and 26 are neither taught nor suggested as being performed anywhere on a distributed processor. Thus, Applicant submits that those claims are independently allowable as well. Finally, the Examiner cited St. John (WO 01/16936) in rejecting claims 6, 19 and

22 under 35 U.S.C.5103(a). However, the St. John reference does not remedy the deficiencies in Field et al. Therefore, Applicant traverses that rejection as well.”

The examiner disagrees with the applicant's above arguments because Field teaches a distributed system; here a server is a distributed system, since the applicant fails to claim his particular distributed system, the claims are given the broadest reasonable interpretation.

According to MPEP section 904.1, the breadth of the claims in the application should always be carefully noted; that is, the examiner should be fully aware of what the claims do not call for, as well as what they do require. During patent examination, the claims are given the broadest reasonable interpretation consistent with the specification. See *In re Morris*, 127 F.3d 1048, 44 USPQ2d 1023 (Fed. Cir. 1997). See MPEP §2111- § 2116.01 for case law pertinent to claim analysis.

As per claims 4 and 24, Field teaches, “a speaker model training component configured to receive VM data and train speaker identification model based the VM data and user input indicative of a speaker of voice message corresponding the VM data” (Page 5, line 34 to Page 7, line 25, particularly reads on “tagger module 30, operatively connect to the speaker recognizer module 22, and DSP 21 is provided for electronically tagging the identity or categorization of the caller to the caller's message or the conversation or tagging the identity or categorization of the author”).

As per claims 11, Field teaches summarization of the message at page 7, lines 14-24, here “prioritizer module” 34 is a “summarizer”, which pertain to specific subject matter.

As per claim 16 and 23, Field teaches to change the speaking rate see Fig. 3, elements 130 and 140.

As per claim 20, Field teaches a user interface displays a rule indicator indicative of rules being applied at page 7, line 35 to page 7, line 10.

Therefore, applicant's arguments are not deemed to be persuasive.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Abul K. Azad** whose telephone number is **(571) 272-7599**. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richemond Dorvil**, can be reached at **(571) 272-7602**.

Art Unit: 2626

Any response to this action should be mailed to:

Commissioner for Patents

P.O. Box 1450

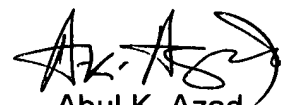
Alexandria, VA 22313-1450

Or faxed to: **(571) 273-8300**.

Hand-delivered responses should be brought to **401 Dulany Street, Alexandria, VA-22314** (Customer Service Window).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

June 29, 2006



Abul K. Azad
Primary Examiner
Art Unit 2626